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SUMMARY RECORD OF THE 61st MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 29 April 1999, at 11.30 a.m.

Chairperson: Ms. ANDERSON (Ireland)

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The meeting was called to order at 11.30 a.m.

CONSIDERATION OF DRAFT RESOLUTIONS RELATING TO AGENDA ITEM 6 (continued)

Draft resolution E/CN.4/1999/L.40 (Defamation of Islam)

Proposed amendments to draft resolution E/CN.4/1999/L.40 (E/CN.4/1999/L.90)
Sub-amendments to the amendments to draft resolution E/CN.4/1999/L.40 contained in document E/CN.4/1999/L.90 (E/CN.4/1999/L.104)

1. Mr. AKRAM (Pakistan), introducing draft resolution E/CN.4/1999/L.40 on behalf of the States Members of the United Nations that were members of the Organization of the Islamic Conference, said that, in the past few years, there had been new manifestations of intolerance and misunderstanding, not to say hatred, of Islam and Muslims in various parts of the world. It was to be feared that those manifestations might become as widespread and endemic as antisemitism had been in the past. There was a tendency in some countries and in the international media to portray Islam as a religion hostile to human rights, threatening to the Western world and associated with terrorism and violence, whereas, with the Quran, Islam had given the world its first human rights charter. No other religion received such constant negative media coverage. That defamation campaign was reflected in growing intolerance towards Muslims.

2. The Commission on Human Rights had to stand up against that campaign. Efforts had already been made to promote better understanding of Islam when OIC and the Office of the High Commissioner had organized a seminar on Islamic perspectives on the Universal Declaration of Human Rights in November 1998. The draft resolution under consideration had been the subject of open-ended consultations and its sponsors had shown a willingness to cooperate by agreeing to make several amendments. They had, for example, decided that the words "in certain countries" should be added to operative paragraph 1 and the fifth preambular paragraph in order to take account of the legitimate view that the problem was not universal. His delegation sincerely hoped that the draft resolution could thus be adopted by consensus.

3. Mr. HÖYNCK (Germany), introducing document E/CN.4/1999/L.90 on behalf of the sponsors, which had been joined by the Czech Republic, Latvia, Norway and Poland, said that, although his delegation understood some of the concerns which had led the sponsors of draft resolution E/CN.4/1999/L.40 to submit that text, it was of the opinion that the draft resolution's overall design was not balanced, since it referred exclusively to the negative stereotyping of Islam, whereas other religions had been and continued to be subjected to various forms of discrimination, intolerance and even persecution. The European Union was attached to the principles of tolerance and freedom of conscience, thought and religion for all. The amendments proposed in document E/CN.4/1999/L.90 were designed precisely to broaden the issue and deal equally with all religions. They would, for example, involve amending the title of the draft resolution and the fifth preambular paragraph and replacing the last part of paragraph 1 and part of paragraph 5 by a general reference to negative religious stereotyping.

4. Mr. SINGH (India) said that India was opposed to any kind of discrimination, including on grounds of religion. It was a country where all religions were represented and it had the second largest Muslim population in the world. It was categorically opposed to any defamation or negative stereotyping of any religion, including Islam. It was moreover seriously concerned about the attempts being made to associate Islam with terrorism. It had long-standing ties of friendship and cooperation with Iran, as the OIC countries which had submitted the draft resolution.

5. As a secular State, however, India stressed first that the matter under consideration belonged under agenda item 12 (Civil and political rights), subitem (a) (Religious intolerance), not under the item on racism. Secondly, the best way to combat defamation and negative stereotyping was to promote tolerance and strengthen legislation. Thirdly, manifestations of discrimination based on religion were prevalent everywhere in the world and were not directed at Islam alone. For all those reasons, India was opposed to draft resolution E/CN.4/1999/L.40. It would be prepared to support the amendments contained in document E/CN.4/1999/L.104, provided that the words "in their respective national contexts" were added at the end of the amended preambular paragraph 6, after the words "minority religions". The concept of "minority" or "majority" religion must necessarily be considered in the context of each country.

6. Mr. SUMI (Japan) said that he understood the concerns of the sponsors of draft resolution E/CN.4/1999/L.40. But the problem they wanted to denounce did not relate only to Islam. Amendments should therefore be made to the text submitted so that it might be adopted by consensus. In view of the subject matter of the draft resolution, the fact of voting on the text might give the impression that the international community did not share the sponsors' concerns and that might further strengthen the prejudices they were trying to combat. In any event, his delegation would have liked the draft resolution to be worded in more general terms. It would also have been better to deal with it under agenda item 11 on the question of religious intolerance.

7. Mr. AKRAM (Pakistan), introducing the proposed sub-amendments contained in document E/CN.4/1999/L.104 and explaining the position of the member countries of the Islamic Conference, said that the problem faced by Islam was of a very special nature and its manifestations took many forms. Some people did not hesitate, for example, to refer to an "Islamic bomb", but no one would ever think of making such an association with another religion. Islam was being portrayed as a threat to the international system, with many negative images which incited to hatred of Muslims. That phenomenon endangered world stability and was contrary to the principle of the universality of human rights.

8. The amendments submitted by Germany were designed to remove most of the specific references to Islam contained in the draft resolution, but that would defeat the purpose of the text, which was to bring a problem relating specifically to that religion to the attention of the international community. The States which had submitted the draft resolution could therefore not agree to the proposed amendments. They appealed to Germany and the other co-sponsors of the amendments to withdraw them.

22. The Commission had agreed that the 1503 procedure had to be overhauled and the inter-sessional Working Group was invited to submit recommendations for that purpose at the fifty-sixth session, taking account of the detailed suggestions contained in the Bureau report (recommendation 11).

23. The Commission, which valued the distinctive role of the Sub-Commission, considered that it too was in need of thorough review and, as a first step, was recommending to the Economic and Social Council an immediate change of title to "Sub-Commission on the Promotion and Protection of Human Rights". The Commission requested the inter-sessional Working Group to draw up recommendations for submission at the fifty-sixth session, taking account of recommendation 12.

24. The Commission had taken note of recommendation 13, which identified a number of important issues, including laying the groundwork for standard-setting working groups and establishing time-frames and decision-making methods. The role of the chairpersons of such groups had to be defined. The Commission requested the Working Group to formulate a recommendation on that question for consideration at the fifty-sixth session.

25. In conclusion, the Commission once again emphasized that it wanted to be able to mark its next session with the adoption of a coherent and substantial set of measures aimed at enhancing its effectiveness.

26. Mr. ARSHAD (Pakistan), speaking on behalf of the like-minded group of countries, said that the statement which the Chairperson had just read out was an attempt to bridge the gap in the Commission on the question of the report of the Bureau on the Commission's fifty-fourth session (E/CN.4/1999/104). Although the statement was not entirely satisfactory, Pakistan and the like-minded group could live with it in order to ensure that a detailed and comprehensive examination of all the issues contained in the Bureau's report would take place in the inter-sessional Working Group.

27. Pakistan attached particular importance to certain basic issues, particularly the scope and methods of work of the inter-sessional Working Group. In the first place, it wanted the Working Group also to consider the working methods of the Commission. Secondly, it was clear that the consensus requirement meant that no delegation would vote against any proposal. Thirdly, the comprehensive review of the Bureau's report also implied that all aspects referred to by the Bureau in its report would be examined, i.e. recommendations, proposals and observations. Although the statement by the Chairperson listed all the points on which the Working Group should focus during the preparation of its recommendations, Pakistan pointed out that the list would not determine priorities. Lastly, the adoption of what the Chairperson had called "coherent and substantial measures" implied that all issues were interconnected and must be dealt with in a holistic way.

28. On that basis, Pakistan and the like-minded group would not press for a vote on draft resolution E/CN.4/1999/L.64/Rev.1.

29. Mr. BENITEZ (Argentina), speaking on behalf of the 56 sponsors of draft resolution E/CN.4/1999/L.101, said that he supported the statement by the Chairperson. That statement, which was a compromise for which all delegations

had worked, was a key step forward in the rationalization of the Commission's work and should enable it to continue with the process it had begun. Argentina hoped that the Working Group would adopt the same constructive approach and be as flexible as the members of the Commission and that specific results would be achieved during the coming year.

30. Argentina would also like the inter-sessional Working Group to work in close cooperation with all Commission mechanisms and non-governmental organizations.

31. Mr. HÖYCK (Germany) said that he was both disappointed that all the concerns expressed by the members of the Commission had not been taken into account in the statement by the Chairperson and relieved that it had finally been possible to adopt a text that was acceptable to all. His country fully understood Pakistan's point of view, but was of the opinion that, for the sake of the Working Group, the statement that the Commission had just adopted should not be interpreted, at least not at present.

32. Mr. ALFONSO MARTINEZ (Cuba) said that, like others, his delegation was satisfied with the text whose adoption had been possible only because all States had demonstrated the willingness to compromise and had adopted a consensual approach.

33. He drew the Argentine delegation's attention to the fact that Cuba was not a sponsor of draft resolution E/CN.4/1999/L.101. Cuba was not, however, opposed to the review of Commission mechanisms, but simply to review for review's sake, an exercise which might deadlock the Commission and create more problems than already existed.

34. The CHAIRPERSON invited the Commission to resume its consideration of agenda item 6. She requested the delegations concerned to inform the Commission of the progress made in the consultations on the draft resolution entitled "Defamation of Islam" (E/CN.4/1999/L.40).

35. Mr. AKRAM (Pakistan) said that the consultations on that draft resolution had been very successful and that progress had been made on thorny issues. A new document would therefore be prepared and Pakistan sincerely hoped that it would be satisfactory to all. It would, however, have to be discussed at a forthcoming meeting.

The meeting rose at 1 p.m.